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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,811	11/21/2002	Stig-Erik Johannesson	07589.0063.PCUS00	7984
28694	7590	10/26/2005	EXAMINER	
NOVAK DRUCE & QUIGG, LLP 1300 EYE STREET NW 400 EAST TOWER WASHINGTON, DC 20005			PHAM, MINH CHAU THI	
			ART UNIT	PAPER NUMBER
			1724	

DATE MAILED: 10/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/065,811

Applicant(s)

JOHANNESSON, STIG-ERIK

Examiner

Minh-Chau T. Pham

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/21/03.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Colussi et al (5,591,243).

Colussi et al teach a device (1) for separating liquid particles from compressed air transported therethrough comprising a passage connectable the volume of air inside the case (1) and the atmosphere outside the case, the passage comprising an expansion portion (1) that tapers to a neck opening (11E), which is much smaller than the expansion section (1), leading to atmospheric air that is to be drawn into the device, the expansion portion (1) being positioned downstream to the neck opening (11E) and having a large area to cause suspended particles swept through the neck opening (11E) to fall out of suspension and be trapped therein, and a compressed air source (col. 1, lines 15-22, col. 4, lines 4-5) (see details of Fig. 1). It is clear from Fig. 1 that a flow area of the neck opening (11E) is approximately 50% less than a flow area of the expansion portion (1) (see details of items 11E and 1 of Fig. 1).

Response to Amendment

Applicant's arguments filed on July 7, 2005 have been fully considered but they are not persuasive.

Applicant argues that the cited reference Craft does not disclose the first and second passages wherein the second section has at least 50% larger flow area than the first section, and there is a compressed air source. The Examiner now drops Craft and newly introduces Colussi et al (5,591,243) as the primary reference under 102 rejection to show a device (1) for separating liquid particles from compressed air transported therethrough comprising a passage connectable the volume of air inside the case (1) and the atmosphere outside the case, the passage comprising an expansion portion (1) that tapers to a neck opening (11E), which is much smaller than the expansion section (1), leading to atmospheric air that is to be drawn into the device, the expansion portion (1) being positioned downstream to the neck opening (11E) and having a large area to cause suspended particles swept through the neck opening (11E) to fall out of suspension and be trapped therein, and a compressed air source (col. 1, lines 15-22, col. 4, lines 4-5) (see details of Fig. 1). It is clear from Fig. 1 that a flow area of the neck opening (11E) is approximately 50% less than a flow area of the expansion portion (1) (see details of items 11E and 1 of Fig. 1), as claimed.

Applicant's arguments with respect to claims 1-13 have been thoroughly considered but are moot in view of the new ground(s) of rejection, as discussed above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh-Chau T. Pham whose telephone number is (571) 272-1163. The examiner can normally be reached on Mon/Tues/Thur/Fri 7:00 am - 5:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on (571) 272-1166. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Minh-Chau Pham', written in a cursive style.

Minh-Chau Pham
Patent Examiner
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October 24, 2005